



Commonwealth of the Northern Mariana Islands

OFFICE OF THE GOVERNOR

Bureau of Environmental and Coastal Quality

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PUBLIC NOTICE

APPLICATION FOR CNMI WATER QUALITY CERTIFICATION

The Antidegradation Policy of the Water Quality Standards of the Commonwealth of the Northern Mariana Islands states that the protection and maintenance of the quality of the waters of the Commonwealth are an historic and legal right of the people of the Northern Mariana Islands, and that this shall be the public policy of the Commonwealth. Any proposed activity that will impact the waters of the Commonwealth must receive a Water Quality Certification from the Bureau of Environmental and Coastal Quality (BECQ). In issuing a Water Quality Certification, BECQ must assure that the proposed activity complies with all applicable provisions of the CNMI Water Quality Standards and federal Clean Water Act, will not interfere with the attainment or maintenance of the existing or designated use of the Commonwealth waters, and that all appropriate and practicable steps have been taken to minimize potential adverse impacts to aquatic life and human health.

Upon receiving an application, BECQ issues a public notification which describes the proposed activity and potential impacts on water quality, aquatic life and human health. A thirty (30) day public comment period will commence from the date of the first publication of the notice.

The Administrator of BECQ may conduct a public hearing to solicit comments on the application if a hearing is requested by the public. BECQ will make a determination for issuing a Water Quality Certification based upon a complete technical review of the application and the public comments received.

BECQ is soliciting comments on the following application for a CNMI Water Quality Certification.

- 1. APPLICANT:** U.S. Army Corps of Engineers, Honolulu District, 230 Otake Street, CEPOH-RO, Fort Shafter, HI, 96858-5440
- 2. APPLICABLE STATUTORY AUTHORITY:** CNMI Commonwealth Environmental Protection Act (Public Law No. 3-23); CNMI Water Quality Standards, (NMIAC Chapter 65-130).
- 3. LOCATION OF PROPOSED ACTIVITY:** CNMI
- 4. DESCRIPTION OF PROPOSED ACTIVITY:** The U.S. Army Corps of Engineers (USACE) is proposing to reissue its existing Nationwide Permits (NWP) and associated general conditions and definitions. NWP are general permits issued on a nationwide basis to streamline the authorization of activities that result in no more than

minimal individual and cumulative adverse environmental effects. CNMI previously certified a number of the 2021 NWP, denied others, and imposed CNMI-specific conditions applicable to all authorized activities in 2020. The 2020 certification is available for public review along with the proposed 2026 NWP documents on BECQ's website. The proposed 2026 NWP do not substantially differ from what CNMI certified in 2020, and CNMI proposes to issue certification with substantially the same conditions.

5. IMPACT OF THE PROPOSED ACTION: NWPs authorize a wide variety of activities that may impact water quality. These impacts may include fill (loss) of CNMI waters, and a variety of water quality impacts related to discharges during and after construction. Activities authorized under NWPs are generally stated to “result in no more than minimal individual and cumulative adverse environmental effects” but in some cases, the scale of the impacts relative to the small size and value of island resources can be more significant.

6. PROPOSED MITIGATION MEASURES: The Honolulu District of the USACE has proposed regional conditions designed to further ensure impacts in the islands are minimal. In addition, the CNMI proposes to impose additional conditions on activities in the CNMI that are authorized under NWPs to further limit potential impacts, based on the CNMI conditions imposed on the 2021 NWPs. Some of these conditions require application for individual certification for the proposed activity. CNMI is reviewing the changes to the proposed 2026 NWPs to update its conditions, if required to ensure impacts are no greater than allowed in its 2020 certification.

The full Section 401 Water Quality Certification application may be viewed at <https://www.deq.gov.mp/news.html> or at the BECQ office on Chalan Pale Arnold, Gualo Rai, Saipan.

Written comments and inquiries should be submitted to BECQ within thirty (30) days of the first date of publication of this notice (by November 28, 2025). Please email comments to cnmi.waterquality@gmail.com, or mail to Administrator, Bureau of Environmental and Coastal Quality, P.O. Box 501304, Saipan, MP 96950.